PATENT APPLICATION SERIAL NO. 09/979558

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

11/29/2001 MNGUYEN 00000025 09979558

01 FC:970 890.00 OP 02 FC:964 168.00 OP 03 FC:968 280.00 OP

JC10 Rec'd PCT/PTO

FORM PTO-1390 U.S. DEPARTMENT MMERCE PATENT AND TRADEMARK OFFICE ORNEY'S DOCKET NUMBER REV. 2/01T TRANSMITTAL LETTER TO THE UNITED STATES 04853.0082 U.S. APPLICATION NO. DESIGNATED/ELECTED OFFICE (DO/EO/US) (If known, see 37CFR1.5) **CONCERNING A FILING UNDER 35 U.S.C. 371** 09/979558 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/JP00/03372 May 25, 2000 May 25, 1999 TITLE OF INVENTION NOVEL PSYCHROTROPHIC BACTERIUM AND DNA PROBE FOR DETECTING THE BACTERIUM APPLICANT(S) FOR DO/EO/US Akihiko MARUYAMA, Keiko KITAMURA, and Ryuichiro KURANE Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371. 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. M The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. \boxtimes A copy of the International Application as filed (35 U.S.C. 371 (c)(2)). is attached hereto (required only if not communicated by the International Bureau. a. \boxtimes b. has been communicated by the International Bureau. c. is not required, as the application was filed with the United States Receiving Office (RO/US). \boxtimes 6. An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). 1000 \boxtimes State S is attached hereto. m b. has been previously submitted under 35 U.S.C. 154 (d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). \boxtimes 7. are attached hereto (required only if not communicated by the International Bureau). a. IJ, b. have been communicated by the International Bureau. c. have not been made; however, the time limit for making such amendments has NOT expired. T. \boxtimes d. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). H. 9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). Items 11 to 20 below concern document(s) or information included: \boxtimes 11. Information Disclosure Statement under 37 CFR 1.97 and 1.98 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A FIRST preliminary amendment. 14. A SECOND or SUBSEQUENT preliminary amendment. 15. A Substitute specification. 16. A change of power of attorney and/or address letter.

A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.

Deposit of Microorganisms (Accession Number: FERM-BP-7106) and translation (2 sheets)

Receipt of Original Deposit (Accession Number: FERM-BP-7106) and translation (2 sheets)

Statement Regarding Identity of Written Sequence Listing in computer-readable form

A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).

Sequence Listing Statement with Sequence Listing (6 sheets)

Copy of cover page of International Publication No. WO 00/71705

A second copy of the published international application under 35 U.S.C. 154 (d)(4).

17.

18.

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Other items or information: \boxtimes

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b.

c.

d.

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U.S. APPLICATION NO. (If known, see 37CFR 1.5) INTERNATIONAL APPLICATION NO. PCT/JP00/03372						ATTORNEY'S DOCKET NUMBER 04853.0082		
21. The following	CALCULATIONS	CALCULATIONS PTO USE ONLY						
BASIC NATION	AL FEE (37 CFR 1.492 (a)) (1) - (5)):					
Neither internation nor international sand International S								
International preli USPTO but Intern								
			CFR 1.482) not paid to 1.445(a)(2)) paid to US	PTO\$740.00				
			CFR 1.482) paid to US T Article 33(1)-(4)	PTO\$710.00				
			CFR 1.482) paid to PCT Article 33 (1)-(4)	\$100.00				
			ENTER APPROPI	RIATE BASIC FEE AMOUNT =	= \$890.00			
			or declaration later than (37 CFR 1.492 (e)).	□ 20 □ 30	\$			
CLAIMS	NUM	BER FILED	NUMBER EXTRA	RATE				
Total Claims	11	- 20 =		x \$18.00	\$			
Independent Claims	5	-3 =	2	x \$84.00	\$168.00			
MULTIPLE DEPEN	DENT CLA	AIM(S) (if applicabl	e)	+\$280.00	\$280.00			
			TOTAL OF TH	HE ABOVE CALCULATIONS =	= \$1338.00			
☐ Applicant clain	\$							
	= \$1338.00							
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)).								
				TOTAL NATIONAL FEE =	= 1338.00			
			CFR 1.21 (h)). The associated of the control of the	signment must be accompanied by +	\$			
				TOTAL FEES ENCLOSED =	= \$1338.00			
					Amount to be refunded:	\$		
	·····				charged:	\$		
a. 🛛 A chec	k in the a	mount of \$13:	38.00	to cover the above fees is enclose	ed.			
		arge my Deposit Account No in the amount of \$ to cover the above fees. te copy of this sheet is enclosed.						
Depos	it Account	No. <u>06-0916.</u>	A duplicate copy	litional fees which may be required of this sheet is enclosed.				
				rmation on this form may become de credit card information and aut				
			· 37 CFR 1.494 or 1.495 ation to pending status.	has not been met, a petition to re-	vive (37 CFR 1.13	37 (a) or (b))		
SEND ALL COR	RESPON	DENCE TO:						
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315				SIGNATURE Ernest F. Chapman/25,961				
DATED: Novemb				NAME/REGISTRATION NO.				

(Translation)

INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIO-NAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page.

TO DEPOSITOR:

Name:

Dr. Shinichi OHASHI, Director-General of National Institute of

Bioscience and Human-Technology Agency of Industrial Science and Technology

Address:

1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki 305-8566 Japan

I.	IDENTIFICA	MOIT	OF	MICR	OORGA	ANISM
_						

Identification Reference Given by the Depositor:

Accession Number:

P2K6

FERM BP-7106

II. A SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC POSITION

The microorganism identified under I above was accompanied by a document stating the following item(s).

- A Scientific Property
- **Taxonomic Position**

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the microorganism identified under I above, which was received on May 21, 1999.

(date of the original deposit)

IV. RECEIPT OF REQUEST FOR TRANSFER

This International Depositary Authority received the microorganism under I above on May 21, 1999 (date of the original deposit), and received on March 28, 2000, a request for transfer from the original deposit to the deposit under the Budapest treaty.

(Transferred from P-17393 deposited on May 21, 1999.)

V. INTERNATIONAL DEPOSITARY AUTHORITY

Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology

Representative: Shinichi OHASHI (sealed)

Dr. Shinichi OHASHI Director-General

Address:

1-3, Higashi 1-Chome, Tsukuba-shi, Ibaraki-ken

305-8566 Japan

Date: March 29, 2000